

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1. (currently amended): A computer-implemented method for impounding escrow funds by an electronic funds processor (EFP) in a computer system from ~~credit/debit~~credit or debit card transactions of a merchant associated with a close-out period, the method comprising the steps of:

determining a first sales amount in the computer system EFP associated with one or more ~~non-credit/debit~~credit or debit card transactions of the merchant during the closeout period;

determining a second sales amount in the computer system EFP associated with one or more ~~credit/debit~~credit or debit card transactions of the merchant during the closeout period;

determining a first escrow amount in the computer system EFP based on the first sales amount, wherein the first escrow amount is determined as one of:

- (1) a predetermined percentage of one or more of the first and second sales amounts, and
- (2) a sum of a predetermined percentage of at least one of the first and second sales amounts,

and wherein said predetermined percentage ~~comprising one of~~comprises:

- (1) a merchant tax rate, and
- (2) an estimate for generating escrow funds sufficient to pay a predetermined sum from the one or more of the first and second sales amounts over a predetermined number of sales periods;

determining in the computer system EFP whether the second sales amount exceeds the first escrow amount;

crediting a second escrow account with the first escrow amount in the computer system EFP when the second sales amount exceeds the first escrow amount; and

crediting a merchant account with an amount equal to the difference between the second sales amount and the first escrow amount.

Claim 2. (currently amended): The method of claim 1, wherein the one or more non-~~credit/debit~~credit or debit card transactions are cash transactions.

Claim 3. (currently amended): The method of claim 1, wherein one or more non-~~credit/debit~~credit or debit card transactions are each facilitated using a payment instrument selected from the group consisting of personal checks, money orders, bank checks, travelers checks, gift checks, gift certificates, and cash.

Claim 4. (previously presented): The method of claim 1, comprising the additional steps of:

determining a payable amount to be paid from the first escrow account; and  
debiting the payable amount from the first escrow account.

Claim 5. (currently amended): A computer-implemented method for impounding escrow funds by an electronic funds processor (EFP) in a computer system from ~~credit/debit~~credit or debit card transactions of a merchant associated with a close-out period, the method comprising the steps of:

determining a first sales amount in the computer system EFP associated with one or more taxable non-~~credit/debit~~credit or debit card transactions of the merchant during the closeout period;

determining a second sales amount in the computer system EFP associated with one or more taxable ~~credit/debit~~credit or debit card transactions of the merchant during the closeout period;

determining a first escrow amount in the computer system EFP based on the sum of the first and second sales amounts, wherein the first escrow amount is determined as one of:

- (1) a predetermined percentage of one or more of the first and second sales amounts, and

(2) a sum of a predetermined percentage of at least one of the first and second sales amounts,

and wherein said predetermined percentage ~~comprises~~comprising one of

(1) a merchant tax rate, and

(2) an estimate for generating escrow funds sufficient to pay a predetermined sum from the one or more of the first and second sales amounts over a predetermined number of sales periods;

determining whether a third sales amount exceeds the first escrow amount;

crediting a second escrow account with the first escrow amount when the third sales amount exceeds the first escrow amount; and

crediting a merchant account with an amount equal to the difference between the third sales amount and the first escrow amount.

Claim 6. (original): The method of claim 5, wherein the third sales amount is equal to the second sales amount.

Claim 7. (currently amended): The method of claim 5, wherein the third sales amount is equal to the sum of the second sales amount and a fourth sales amount associated with one or more non-taxable ~~credit/debit~~credit or debit card transactions of the merchant associated with the closeout period.

Claim 8. (previously presented): The method of claim 5, comprising the additional steps of: determining a payable amount to be paid from the first escrow account; and debiting the payable amount from the escrow account.

Claim 9. (original): The method of claim 8, wherein the payable amount is debited for payment to one or more of a local tax authority, a state tax authority, a federal tax authority, a judicial authority, a recipient of a legal judgment and a merchant.

Claims 10-12. (canceled).

Claim 13. (previously presented): The method of claim 5, wherein the predetermined percentage is increased over the merchant tax rate in order to facilitate payment of back taxes.

Claim 14. (canceled)

Claim 15. (currently amended): A computer-implemented method for impounding escrow funds by an electronic funds processor (EFP) in a computer system from sales transactions of a merchant associated with a close-out period, the method comprising the steps of:

determining a first sales amount in the computer system EFP associated with one or more sales transactions of the merchant during the closeout period;

determining a second sales amount in the computer system EFP associated with one or more ~~credit/debit~~ credit or debit card transactions of the merchant during the closeout period;

determining a first escrow amount in the computer system EFP based on the first sales amount, wherein the first escrow amount is determined as one of:

- (1) a predetermined percentage of one or more of the first and second sales amounts, and
- (2) a sum of a predetermined percentage of at least one of the first and second sales amounts,

and wherein said predetermined percentage ~~comprises~~ comprising one of

- (1) a merchant tax rate, and
- (2) an estimate for generating escrow funds sufficient to pay a predetermined sum from the one or more of the first and second sales amounts over a predetermined number of sales periods;

determining whether the second sales amount in the computer system EFP exceeds the first escrow amount;

crediting a second escrow account with the first escrow amount when the second sales amount exceeds the first escrow amount; and

crediting a merchant account with an amount equal to the difference between the second sales amount and the first escrow amount.

Claim 16. (currently amended): A computer-implemented method for impounding escrow funds by an electronic funds processor (EFP) in a computer system from sales transactions of a merchant associated with a close-out period, the method comprising the steps of:

determining a first sales amount in the computer system EFP associated with one or more sales transactions of the merchant during the closeout period;

determining a second sales amount in the computer system EFP associated with one or more ~~credit/debit~~ credit or debit card transactions of the merchant during the closeout period;

determining a plurality of escrow amounts based on the first sales amount, wherein each of the plurality of escrow amounts are determined as one of:

- (1) a predetermined percentage of one or more of the first and second sales amounts, and
- (2) a sum of a predetermined percentage of at least one of the first and second sales amounts,

and wherein said predetermined percentage ~~comprises; comprising one of~~

- (1) a merchant tax rate, and
- (2) an estimate for generating escrow funds sufficient to pay a predetermined sum from the one or more of the first and second sales amounts over a predetermined number of sales periods;

determining in the computer system EFP whether the second sales amount exceeds the sum of the plurality of escrow amounts; and

crediting one of a plurality of escrow accounts with each of the plurality of escrow amounts when the second sales amount exceeds the sum of the plurality of escrow amounts; and

crediting a merchant account with an amount equal to the difference between the second sales amount and the sum of the plurality of escrow amounts.